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REMARKS

Claims 1 to 9 are pending.

Claims 1 and 2 are canceled.

Claims 4 and 5 are currently amended.

Claims 3-9 would be all of the claims pending in the application if the present amendment is entered.

Restriction/Election

In the Office Action, restriction under 35 U.S.C. § 121 to one of the inventions of groups I-V, as defined therein, is required. Accordingly, Applicant hereby elects with traverse the invention of group IV, claim 3, drawn to a combination comprising valdecoxib, or a pharmaceutically acceptable salt thereof, and an allosteric carboxylic inhibitor of MMP-13 of Formula VG, or a pharmaceutically acceptable salt thereof, as defined in claim 3, classified in class 546, subclass various.

Further, Applicant notes that the invention of groups I-III include claim 4, whereas the invention of group IV did not include claim 4. Claim 4 has been currently amended to depend from claim 3. In view of these remarks, Applicant hereby requests that claim 4 be included in the invention of group IV, which would thus be drawn to claims 3 and 4.

Claim 5 has been currently amended to depend from claim 3. Claims 6-9 continue to depend from claim 5. Where the product claim 3 is subsequently found allowable, Applicant hereby requests rejoinder of claims 5-9 in accordance with the provisions of MPEP § 821.04 and withdrawal of the requirement for restriction between claim 3 and claims 5-9.

Applicant notes that on page 4 of the Office Action, the following text appears:

"Because these inventions are distinct for the reasons given above and the search required for Group IX is not required for Groups I-VIII, restriction for examination as indicated is proper."

Applicant requests confirmation in the next Office Action that this statement is in error, as Applicant understands that the restriction relates to the invention of groups I-VI, not groups I-IX.

Conclusion

In view of the above remarks, Applicant requests consideration of claims 3 and 4 and, in the event that claim 3 is subsequently found allowable, consideration of claims 5-9.

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Respectfully submitted,

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